

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 993 OF 2024**

IN THE MATTER OF:

**IN RE: NEWS ITEM TITLED “PACKAGE WHERE HAS THE
PLACTIC WASTE DISAPPEARED” APPEARED IN THE TIMES OF
INDIA DATED 30.07.2024**

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RAJASTHAN STATE POLLUTION CONTROL BOARD

Through its Counsel



Nishant Awana
Advocate

A-320, 1st Floor, Defence Colony, New Delhi-110024

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nishantawana@outlook.com

Date: 13.12.2024

Place: Delhi

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 993 OF 2024

IN THE MATTER OF:

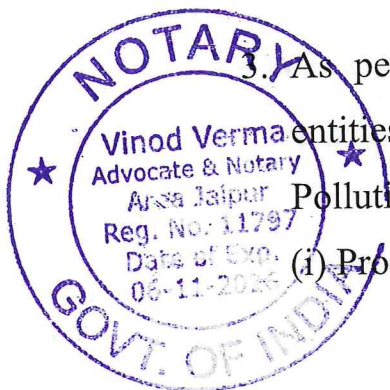
**IN RE: NEWS ITEM TITLED "PACKAGE WHERE HAS THE
PLACTIC WASTE DISAPPEARED" APPEARED IN THE TIMES
OF INDIA DATED 30.07.2024**

**STATUS REPORT ON BEHALF OF RAJASTHAN STATE
POLLUTION CONTROL BOARD (RSPCB)**

MOST RESPECTFULLY SHOWETH:

1. The Ministry of Environment, Forest & Climate Change (MoEF&CC) has notified Plastic Waste Management Rules, 2016, in exercise of the powers conferred under sections 3, 6 & 25 of the Environment (Protection) Act, 1986 vide Notification No. G.S.R 320 (E) dated March 18,2016.
2. It is submitted that Guidelines for Extended Producers Responsibility ("EPR") for Plastic packaging were notified by MoEF&CC on February 16, 2022 as Schedule-II of the Plastic Waste Management Rules, 2016.

3. As per Section 6.1(a) of the EPR Guidelines, "The following entities shall register on the centralized portal developed by Central Pollution Control Board namely:-
(i) Producer (P)



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13-12-24

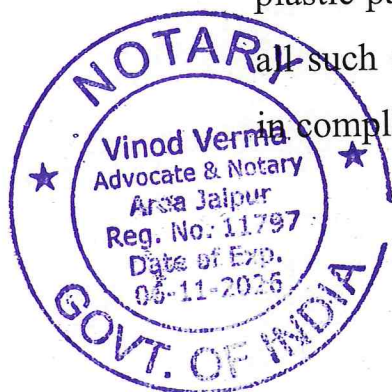

Shashi Choudhary
 GIC (Plastic & E-Waste)

(ii) Importer

(iii) Brand owner (BO)

(iv) Plastic Waste Processor engaged in (a) recycling, (b) co-processing (c) waste to energy, (d) waste to oil, and (e) industrial composting.

4. As per section 10.1 of the above Guidelines, "The Producers, Importers & Brand Owners shall have to register through the online centralized portal developed by Central Pollution Control Board (CPCB). The certificate of registration shall be issued using the portal.
5. CPCB has developed the Centralized EPR portal for registration of Producers, Importers and Brand-owners (PIBOs) & Plastic Waste Processors (PWPs) that has been formally launched on April 05,2022.
6. As on 04.12.2024, total number of 588 PIBOs (208 Producers, 348 Importer and 32 Brand Owners) and 133 Plastic Waste Processors (PWPs) has been registered on centralized EPR portal in Rajasthan.
7. CPCB has issued letters to department of Industries/State Authorities dated 06.03.2024 (annexed as ANNEXURE – A) to provide the list of industries involved in introducing/processing of plastic packaging under their jurisdiction and to further ensure that all such entities register themselves on the centralized EPR portal in compliance of the PWM Rules, 2016, as amended.



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8. RSPCB has also issued letters to Industries & Commerce Department, Jaipur dated 03.04.2024, 30.05.2024 & 02.12.2024 (annexed as ANNEXURE – B) to provide the list of industries involved in introducing/processing of plastic packaging and to further ensure that all such entities register themselves on the centralized EPR portal in compliance of the PWM Rules, 2016, as amended.
9. RSPCB has also organized several events to inform and spread awareness PIBOs and PWP's to ensure compliance of PWM Rule, 2016 and register themselves on the centralized EPR portal in compliance of the PWM Rules, 2016, as amended.

**Rajasthan State Pollution Control Board (RSPCB)
Through Officer In-Charge (OIC)**

Through its Advocates

(Nishant Awana)

For NMA Law Chambers

Advocates

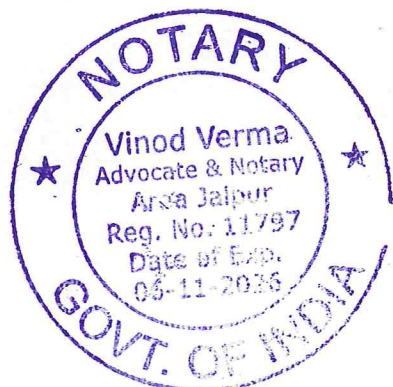
A-320, 1st Floor, Defence Colony, New Delhi - 110024

011-35550654, +91 7838760760

mail@nmalawchambers.in

NEW DELHI

DATED: 13.12.2024



ATTESTED

13-12-24

NOTARY PUBLIC

GOVT. OF INDIA, JAIPUR

Shashi Choudhary
GIC (Plastic & E-Waste)

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 993 OF 2024

IN THE MATTER OF:

IN RE: NEWS ITEM TITLED "PACKAGE WHERE HAS THE
PLACTIC WASTE DISAPPEARED" APPEARED IN THE TIMES
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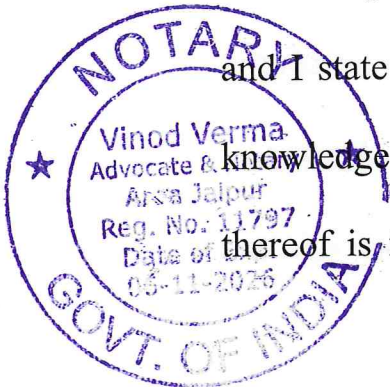
AFFIDAVIT

I, SHASHI CHAUDHARY, B/o Shri KSHWAR SINGH BURDUK aged about 45 years, working as SEE & GIC-ENWAGE, Rajasthan State Pollution Control Board (RSPCB), with its office at JAIPUR, presently at JAIPUR, do hereby solemnly affirm and declare as under:

1. I am the Officer In-Charge (OIC) for **Rajasthan State Pollution Control Board (RSPCB)** and, in such capacity, am duly authorized and competent to depose vide the present affidavit. I am well versed with the subject.

2. I state that I have gone through the accompanying Status Report that has been prepared by the Advocate for RSPCB under my instructions

and I state that all the facts stated therein are true to the best of my knowledge and belief as derived from official records and no part thereof is false and nothing material has been concealed therefrom.



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9/13-12-24

Legal submissions made are on the basis of legal advice received by me and believed to be true.

DEPONENT

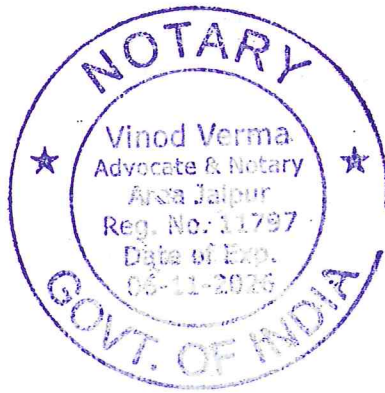
Shashi Choudhary
GIC (Plastic & E-Waste)

VERIFICATION:

Verified at ^{JAIPUR} ~~Delhi~~ on this 13th day of December, 2024 that the contents of my affidavit above are true and correct to my knowledge and belief on the basis the records maintained by the RSPCB. No part of it is false and nothing material has been concealed there from.

DEPONENT

Shashi Choudhary
GIC (Plastic & E-Waste)



ATTESTED

13-12-24

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Annex A
267

Annexure II



LIFE
Lifestyle for
Environment



SPEED-POST / E-MAIL

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

File No. CP-20/139/2021-UPC-II-HO-CPCB-HO

Date: 06.03.2024 ✓

To,

Director/ Commissioner,
Department of Industries / State Authorities
(All States/UTs – As per list)

✓ Sub: - Registration of Producers, Importers, Brand owners & Plastic
Waste Processors as per Plastic Waste Management Rules, 2016,
as amended - reg

Sir/Madam,

Central Pollution Control Board (CPCB) has developed the Centralized
EPR Portal for Plastic Packaging for implementation of Extended Producer
Responsibility (EPR) in accordance with the Guidelines on Plastic Packaging
issued vide MoEFCC's Fourth Amendment to PWM Rules, 2016 dated February
16, 2022 (Annexure I). ✓

As per the clause 6.1 of the EPR guidelines Producers, Importers, Brand owners
(PIBOs) who introduce plastic packaging in the market and Plastic waste
processors (PWPs) (recycling, co-processing, waste to energy, waste to oil, and
industrial composting) have to register on the EPR portal. ✓

Till date, 36228 PIBOs (Producers: 3988, Importer: 29807 and Brand Owner:
2433) and 2351 PWPs have been registered on the centralized EPR portal.
Further, it has been observed that several such PIBOs/PWPs are continuing with
their operations without obtaining registration on the Centralized EPR Portal,
which is in violation of Plastic Waste Management Rules, 2016, as amended. ✓

Further, vide order dated 01.03.2024 in the matter of CWP No. 2369 of 2018
titled 'Suleman and others vs. Union of India', the Hon'ble High Court of
Himachal Pradesh made the following observations (Annexure II).

"However, we find that very few industries have been registered and, therefore,
have impressed upon her to collect the relevant data of the industries registered
in the various States and U.T.s from the relevant authorities, so that industries
falling under the PWM Rules essentially get registered under the PWM Rules,
2016, be it with the Central Pollution Control Board or else the respective State
Pollution Control Boards, as the case may be. The Officer has assured us that the
needful shall be done before the next date of hearing"

Contd.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

Shashi Choudhary
GIC (Plastic & E-Waste)

In view of the above, it is requested a list of all such entities involved in introducing/processing of plastic packaging into the market may be provided to CPCB along with their address and email. It is further requested to ensure that all such entities register themselves on the centralized EPR portal in compliance of the PWM Rules, 2016, as amended. The aforementioned information be provided to CPCB within 10 days, to enable us to take further necessary action.

The matter be taken on priority being compliance of the Hon'ble High Court order.

This issues with approval of Competent Authority.

Yours sincerely,

(Divya Sinha)

Director & In charge, UPC-II

Copy for Information to: -

1. PS to CCB

2. AO to MS

(Divya Sinha)

Shashi Choudhary
GIC (Plastic & E-Waste)

o/c



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, JhalanaDoongri, Jaipur-302004

Phone :0141- 2716804,2716800 e-mail : member-secretary@rpcb.nic.in

Helpline No. : 0141-2716877

Email/Registered Post

No. F.16/(Gen-196)/RPCB/Plastic/12/13

Date: 03-04-24

Director,
Industries & Commerce Department,
Udhyog Bhawan Tilak Marg Jaipur,
Rajasthan, Pin:- 302001.
Email:- indrajfc@rajasthan.gov.in

Sub:- Registration of Producers, Importers, Brand Owners & Plastic Waste Processors as per the Plastic Waste Management Rules, 2016, as amended-reg.

Ref:-

- i. Order dated 01.03.2024 in the matter of Suleman vs. Union of India and others a/w connected matters.
- ii. CPCB letter no. CP-20/139/2021-UPC-II-HO-CPCB-HO dated 06.03.2024. (copy enclosed)
- iii. CPCB letter no. CP-20/8/2024-UPC-II-HO-CPCB-HO dated 14.03.2024. (copy enclosed)

Madam/Sir,

Central Pollution Control Board (CPCB) has developed the Centralized EPR Portal for Plastic Packaging for implementation of Extended Producer Responsibility (EPR) in accordance with the Guidelines on Plastic Packaging issued vide MoEFCC's Fourth Amendment to PWM Rules, 2016 dated February 16, 2022 (Annexure-I).

As per the clause 6.1 of the EPR guidelines Producers, Importers, Brand Owners (PIBOs) who introduce plastic packaging in the market and Plastic waste processors (PWPs) (recycling, co-processing, waste to energy, waste to oil, and industrial composting) have to register on the EPR portal.

Upto 06.03.2024, 36228 PIBOs (Producers 3988, Importer 29807 and Brand Owner 2433) and 2351 PWPs have been registered on the centralized EPR portal. Further, it has been observed that several such PIBOS/PWPs are continuing with their operations without obtaining registration on the Centralized EPR Portal, which is in violation of Plastic Waste Management Rules 2016, as amended.

In view of the above, CPCB vide letter dated 06.03.2024 had requested you to provide a list (with address & email) of all such entities involved in introducing/processing of


Shashi Choudhary
GIC (Plastic & E-Waste)



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004...

Phone :0141-2716804, 2716800 e-mail : member-secretary@rpcb.nic.in

Helpline No. : 0141-2716877

plastic packaging into the market. It was further requested to ensure that all such entities register themselves on the centralized EPR portal in compliance of the PWM Rules, 2016, as amended. The aforementioned information be provided to CPCB & RSPCB within 10 days, to enable us to take further necessary action.

The matter be taken on priority being compliance of the Hon'ble High Court order.

Yours sincerely,

Encls: - As above.


(Vijai. N.)
Member Secretary

Copy to:-

- i. Master file.


Member Secretary


Shashi Choudhary
GIC (Plastic & E-Waste)



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004

Phone : 0141-2711263,2716802 e-mail : member-secretary@rpcb.nic.in

RSPCB HelpLine No. : 0141-2716877

Email/Registered Post

No. F16(Gen-196)/RPCB/Plastic/ 1357

Date: 30-05-24

Director,
Industries & Commerce Department,
Udhyog Bhawan Tilak Marg Jaipur,
Rajasthan, Pin: - 302001
E-mail: - indrajfc@rajasthan.gov.in

Sub: - Registration of Producers, Importers, Brand Owners (PIBOs) and Plastic waste Processors (PWPs) as per Plastic Waste Management Rules, 2016, as amended-reg.

Ref: -

1. Rajasthan State Pollution Control Board, Jaipur letter no. F16(Gen-196)/RPCB/Plastic/1213 dated 03.04.2024, (copy enclosed)
2. Your office letter no. एफ14(आ.उ./इन्फा/पॉल्यूशन/2022-23/02094 dated 16.05.2024.
3. CPCB letter no. CP-20/139/2021-UPC-II-HO-CPCB-HO dated 06.03.2024.
4. CPCB letter no. CP-20/8/2024-UPC-II-HO-CPCB-HO dated 14.03.2024.

Sir,

With reference to the subject cited above, vide letter dated 06.03.2024 CPCB has issued directions for Industries & Commerce Department, being parent department and having record of all types of industries which are established/ being operated in the State of Rajasthan, to provide list of entities engaged in manufacturing of plastic packaging and recycling of plastic waste so that all such units can be brought to the EPR portal who have not yet registered on the portal.

In compliance of the CPCB's directions dated 14.03.2024, RSPCB vide letter dated 03.04.2024 requested you to provide the desired list. List of such entities is still awaited.

However, list of Producers, Importers, Brand-Owners & PWPs of Plastic packaging/ waste who have registered on CPCB EPR Portal as on 24.05.2024 is enclosed for your reference and you are once again requested to provide the list of Total/ Unregistered entities engaged in manufacturing of plastic packaging and recycling of plastic waste so that all the units can be brought to the EPR Portal and the aforementioned information be provided to CPCB.

Encls:- As above.

Yours sincerely,

(Vijai N.)

Member Secretary

Copy to:-

- i. Director, Divisional/Head, WM-III Division, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar Delhi-110032.
- ii. Master file.

Member Secretary

Shashi Choudhary
GIC (Plastic & E-Waste)



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, JhalanaDoongri, Jaipur-302004

Phone :0141- 2716804, 2716800 e-mail : member-secretary@rpcb.nic.in

Helpline No. : 0141-2716877



Email/Registered Post

File No. F16/(Gen-196)/RPCB/ Plastic/1808 - 4870

Date: 02-12-2024

Commissioner,
Industries & Commerce Department,
Udhyog Bhawan Tilak Marg Jaipur,
Rajasthan, Pin: 302001.

E-mail: indraj@rajasthan.gov.in
indrajfo10@rajasthan.gov.in
indrajfc@rajasthan.gov.in

Sub:- Registration of Producers, Importers, Brand Owners (PIBOs) and Plastic waste Processors (PWPs) as per Plastic Waste Management Rules, 2016, as amended-reg.

Ref:- 1. Rajasthan State Pollution Control Board letters dated 03.04.2024. & 30.05.2025.
2. Rajasthan State Pollution Control Board reminder email 20.08.2024 and 25.11.2024.
3. CPCB letter dated 06.03.2024 & directions dated 14.03.2024.

Sir,

With reference to the subject cited above, CPCB has issued directions to the Industries & Commerce Department vide letter dated 14.03.2024 to provide list of entities engaged in manufacturing of plastic packaging and recycling of plastic waste so that all such units can be covered under EPR mechanism.

In compliance of the CPCB's directions, this office has made request to you vide letters dated 03.04.2024 & 30.05.2024 (copy enclosed) to provide the desired information. However, desired details are awaited so far.

In view of the above, you are again requested to provide details sought vide this office letters dated 03.04.2024 & 30.05.2024 at the earliest so that all the units can be covered under EPR mechanism and the aforementioned information be provided to CPCB.

In this connection, list of Producers, Importers, Brand-Owners & PWPs of Plastic packaging/waste registered on CPCB EPR Portal as on 25.11.2024 is enclosed for reference.

Link of National Dashboard of Centralized EPR Portal for Plastic Packaging is as under:

<https://eprplastic.cpcb.gov.in/#/plastic/home/nationalDashboardSpcb>

Encls: - As above.

Yours sincerely,

o/c
(Vijai N.)

Member Secretary

Copy to:

1. Director, Divisional Head, WMD-III, CPCB, Parivesh Bhawan, East Arjun Nagar, Delhi-110032.
2. Master File.

o/c
Member Secretary

Shashi Choudhary
GIC (Plastic & E-Waste)